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Thomas J. Scott, Jr., Esq.  
Hunton & Williams  
Suite 1200  
1900 K Street, N.W.  
Washington, DC 20006

EXAMINER

GARG, YOGESH C


ART UNIT PAPER NUMBER

3625

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

<b>Application No.</b> 09/838,133	<b>Applicant(s)</b> VERCHERE, DAVID	
<b>Examiner</b> Yogesh C Garg	<b>Art Unit</b> 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 08 July 2004.
- 2a)  This action is **FINAL**.
- 2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-5,7-15 and 17-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) \_\_\_\_\_ is/are allowed.
- 6)  Claim(s) 1-5,7-15 and 17-20 is/are rejected.
- 7)  Claim(s) \_\_\_\_\_ is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/22/01.
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5)  Notice of Informal Patent Application (PTO-152)
- 6)  Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. The amendment received on July 28, 2004 is acknowledged and entered. The applicant has currently amended claims 1, 7, 8, 9, 11, 17, 18, and 19 and cancelled claims 6 and 16. Currently claims 1-5, 7-15 and 17-20 are pending for examination.

***Response to Arguments***

2.1 The applicant argues (see page 6 of "Remarks") that he disagrees with the 35 U.S.C. 101 rejection of claims 1-20 submitted in the previous Office action. Since the applicant neither provided any arguments or reasoning as why he disagreed with this rejection nor pointed out any errors, the rejection of claims 1-20 under 35 U.S.C. 101 submitted in the previous Office action is sustained.

The applicant has amended the independent claims 1 and 11 by adding limitations citing use of technology: " computer implemented method" in the preamble and " receiving a request for a branded product from a user through an online interface" in the body of the claim. These amendments do not put the claims 1 and 11 acceptable as statutory subject matter for the following reasons:

The recitation " receiving a request for a branded product from a user through an online interface" in the body of the claim is used for receiving a request in a trivial manner. The main invention, " applying a pricing algorithm for assigning a price.....parameters generates the price" which the invention considers his novelty over the prior art (see Remarks, pages 7-8) is not tied to use of technology to enable a useful, concrete and tangible result- the assignment of

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price to the product. As recited, it is able to stand-alone and can be performed manually without using a computer. The recitation " computer implemented method" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hira*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

In view of the above, rejection of claims 1 and 11 and their dependencies 2-5, 7-10, 12-15 and 17-20 under 35 U.S.C. 101 is maintained.

2.2. The applicant argues (see Remarks, pages 7-8) that the Rosen reference does not disclose the newly added limitation in independent claims 1 and 11, "applying a pricing algorithm for assigning a price to the product wherein the price is based on the item, the process and the artwork where a combination of the item parameters, process parameters and artwork parameters generates the price". The examiner respectfully disagrees for the following reasons:

(i) The claims 1 and 11 contain subject matter, " applying a pricing algorithm for assigning a price to the product wherein the price is based on the item, the process **and the artwork** where a combination of the item parameters, process parameters **and artwork parameters** generates the price", which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification (see page 8, lines 12-14 teaches that the present invention includes a pricing algorithm which depends on

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the item and associated processes chosen **but it does not teach** assigning and generating a price for a product upon consideration of artwork parameters. Therefore claims 1 and 11 and their dependencies are subject to rejection under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

(i) The reference Rosen also teaches the use of a pricing algorithm which depends on the item and associated processes (see figures: 8A, 8B, 9A, 9B, 9C and FIG.10 B) which is consist with the applicant's disclosure, discussed above. Further, Figures 9 B and 10B also show a procedure/steps in assigning price to the ordered items inclusive of the associated process of designing the artwork and labeling process. Fig.9B indicates the cost, such as \$29.95 per a case of 12 ready bottles with the soda, artwork on the label and the labeling of the bottles and this price is used to finally calculate (see FIG.10 B) the Subtotal value of the ordered items plus Shipping and Handling to arrive at the final price of the order inclusive of items, associated processes and artwork used on the label. Note: The order for a customized soda bottles include: bottle and soda flavor corresponding to items, designing and applying image on the label corresponds to artwork and the process of printing a label and applying to the bottle correspond to process parameters. The plain meaning of term " algorithm", as per Webster dictionary, is to use repetitively a procedure or a set of steps to solve a mathematical problem, such as arriving at a final order price shown in Rosen and analyzed above.

In view of the above, rejection of independent claims 1 and 11 and their dependencies is maintained.

2.3. The applicant has made a conclusive statement, that is the concept of quantity break pricing information as process parameters is not well-known, in traversing the use of Official Notice (See Remarks, page 8) in rejecting claims 8 and 18 under 35 USC 103. In

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response to applicant's arguments, the examiner would like to note that the applicant has neither pointed out any errors nor any evidence contrary to the arguments/explanation/motivation presented by the examiner. The examiner acknowledged in the previous Office action that Rosen, as applied to claims 1 and 11, does not disclose quantity break pricing information and therefore took an Official Notice of both the concept and the benefits of quantity break pricing information as this concept is notoriously old and well-known and used in selling and buying transactions. The quantity break pricing basis motivates the buyer to purchase more in quantity, as he saves money, and at the same time benefits the seller for accruing increased revenue and profits. The examiner presented the same motivation to combine the teachings of Official notice with Rosen in the previous Office action.

In view of the above, the applicant's traverse of the examiner's assertion of the Official Notice is not adequate and as per *MPEP-2144.03 [R-1] C Reliance on Common Knowledge in the Art or "Well Known" Prior Art* -, the common knowledge or well-known fact considered as Official Notice in the art statement is taken to be admitted prior art and the rejection of claims 8 and 18 is maintained.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-5, 7-15, and 17-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

**Claimed Invention(s) does not fall within the Technological Art.**

As an initial matter, the United States Constitution under Art. I, §8, cl. 8 gave Congress the power to "[p]romote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries". In carrying out this power, Congress authorized under 35 U.S.C. §101 a grant of a patent to "[w]hoever invents or discovers any new and useful process, machine, manufacture, or composition or matter, or any new and useful improvement thereof." Therefore, a fundamental premise is that a patent is a statutorily created vehicle for Congress to confer an exclusive right to the inventors for "inventions" that promote the progress of "science and the useful arts". The phrase "technological arts" has been created and used by the courts to offer another view of the term "useful arts". See *In re Musgrave*, 167 USPQ (BNA) 280 (CCPA 1970). Hence, the first test of whether an invention is eligible for a patent is to determine if the invention is within the "technological arts".

Further, despite the express language of §101, several judicially created exceptions have been established to exclude certain subject matter as being patentable subject matter covered by §101. These exceptions include "laws of nature", "natural phenomena", and "abstract ideas". See *Diamond v. Diehr*, 450, U.S. 175, 185, 209 USPQ (BNA) 1, 7 (1981). However, courts have found that even if an invention incorporates abstract ideas, such as mathematical algorithms, the invention may nevertheless be statutory subject matter if the invention as a whole produces a "useful, concrete and tangible result." See *State Street Bank & Trust Co. v. Signature Financial Group, Inc.* 149 F.3d 1368, 1973, 47 USPQ2d (BNA) 1596 (Fed. Cir. 1998).

This "two prong" test was evident when the Court of Customs and Patent Appeals (CCPA) decided an appeal from the Board of Patent Appeals and Interferences (BPAI). See *In re Toma*, 197 USPQ (BNA) 852 (CCPA 1978). In *Toma*, the court held that the recited mathematical algorithm did not render the claim as a whole non-statutory using the Freeman-

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Walter-Abele test as applied to *Gottschalk v. Benson*, 409 U.S. 63, 175 USPQ (BNA) 673 (1972). Additionally, the court decided separately on the issue of the "technological arts". The court developed a "technological arts" analysis:

The "technological" or "useful" arts inquiry must focus on whether the claimed subject matter is statutory, not on whether the product of the claimed subject matter is statutory, not on whether the prior art which the claimed subject matter purports to replace is statutory, and not on whether the claimed subject matter is presently perceived to be an improvement over the prior art, e.g., whether it "enhances" the operation of a machine. See *In re Toma* at 857. In *Toma*, the claimed invention was a computer program for translating a source human language (e.g., Russian) into a target human language (e.g., English). The court found that the claimed computer implemented process was within the "technological art" because the claimed invention was an operation being performed by a computer within a computer.

The decision in *State Street Bank & Trust Co. v. Signature Financial Group, Inc.* never addressed this prong of the test. In *State Street Bank & Trust Co.*, the court found that the "mathematical exception" using the Freeman-Walter-Abele test has little, if any, application to determining the presence of statutory subject matter but rather, statutory subject matter should be based on whether the operation produces a "useful, concrete and tangible result". See *State Street Bank & Trust Co.* at 1374. Furthermore, the court found that there was no "business method exception" since the court decisions that purported to create such exceptions were based on novelty or lack of enablement issues and not on statutory grounds. Therefore, the court held that "[w]hether the patent's claims are too broad to be patentable is not to be judged under §101, but rather under §§102, 103 and 112." See *State Street Bank & Trust Co.* at 1377. Both of these analysis goes towards whether the claimed invention is non-statutory because of the presence of an abstract idea. Indeed, *State Street* abolished the Freeman-Walter-Abele test used in *Toma*. However, **State Street never addressed the second part of the analysis, i.e.,**



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**the "technological arts" test established in *Toma* because the invention in *State Street* (i.e., a computerized system for determining the year-end income, expense, and capital gain or loss for the portfolio) was already determined to be within the technological arts under the *Toma* test. This dichotomy has been recently acknowledged by the Board of Patent Appeals and Interferences (BPAI) in affirming a §101 rejection finding the claimed invention to be non-statutory. See *Ex parte Bowman*, 61 USPQ2d (BNA) 1669 (BdPatApp&Int 2001).**

In the present application, Claims 1-5, 7-15 and 17-20 are not tied to the technological arts. The applicant has amended the independent claims 1 and 11 by adding limitations citing use of technology : " computer implemented method" in the preamble and " receiving a request for a branded product from a user through an online interface" in the body of the claim. These amendments do not put the claims 1 and 11 acceptable as statutory subject matter for the following reasons:

The recitation " receiving a request for a branded product from a user through an online interface" in the body of the claim is used for receiving a request in a trivial manner. The main invention, " applying a pricing algorithm for assigning a price.....parameters generates the price" which the invention considers his novelty over the prior art (see Remarks, pages 7-8) is not tied to use of technology to enable a useful, concrete and tangible result- the assignment of price to the product. As recited, it is able to stand-alone and can be performed manually without using a computer. The recitation " computer implemented method" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone.

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See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

In view of the above, rejection of claims 1 and 11 and their dependencies 2-5, 7-10, 12-15 and 17-20 under 35 U.S.C. 101 is maintained.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-5, 7-15 and 17-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The independent claims 1 and 11 contain subject matter, that is applying a pricing algorithm for assigning a price to the product wherein the price is based on the item, the process **and the artwork** where a combination of the item parameters, process parameters **and artwork parameters** generates the price, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The disclosure (see page 8, lines 12-14 teaches that the present invention includes a pricing algorithm which depends on the item and associated processes chosen **but it does not teach** assigning and generating a price for a product upon consideration of artwork parameters. Therefore claims 1 and 11 and

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their dependencies 2-5, 7-10, 12-15 and 17-20 are subject to rejection under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

**Claim Rejections - 35 USC § 102**

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7, 9-15, 17, and 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by von Rosen et al. (US 6,493,677 B1), hereinafter, referred to as Rosen.

Regarding claim 1, Rosen discloses a computer implemented method for configuring one or more products, the computer implemented (see at least abstract) comprising the steps of:

Receiving a request for a branded product fro a user through an online interface (see at least col.3, line 46-col.5, line 35, “ ..... Upon request from the consumer via the WWW browser, the WWW browser accesses and retrieves the desired hypertext documents from the appropriate WWW server.....According to an actual embodiment of the present invention, WWW server 34 is operative to provide a WWW site for creating and ordering customized branded merchandise.....”. Note: Rosen teaches receiving requests via Internet for branded products which corresponds to receiving a request via an online interface, as claimed. );

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separating the product into at least an item, a process and an artwork wherein one or more item parameters, one or more process parameters and one or more artwork parameters are identified (see at least col.5, lines 35-54, wherein the product is separated into a merchandise comprising bottles and labels with image/photographs to be applied on the bottles. The order for a customized soda bottles include : bottle and soda flavor corresponding to items, designing and applying image on the label corresponds to artwork and the process of printing a label and applying to the bottle correspond to process parameters. Also see FIGS. 8A-9B, wherein FIG.9B corresponds to the item that soda bottle with a flavor and FIGS.8 A-8C and 9C corresponds to the process parameters which when the soda bottle with a flavor is linked and combined with the labels with image/photograph ordered results into the final product as "Joe's Bottles" shown in Fig.8A) ;

applying a pricing algorithm for assigning a price to the product wherein the price is based on the item, the process and the artwork where a combination of the item parameters, process parameters and artwork parameters generates the price (Note: This limitation is to be treated on merits in light of 35 USC 112, first paragraph rejection above. The reference von Rosen teaches the use of a pricing algorithm which depends on the item and associated processes (see figures: 8A, 8B, 9A, 9B, 9C and FIG.10 B ) keeping conformity and consistency with the applicant's disclosure, discussed above. Figures 9 B and 10B show a procedure/steps in assigning price to the ordered items inclusive of the associated process of designing the artwork and labeling process. Fig.9B indicates the cost, such as \$29.95 per a case of 12 ready bottles with the soda, artwork on the label and the labeling of the bottles and this price is used to finally calculate (see FIG.10 B) the Subtotal value of the ordered item plus Shipping and Handling to assign the final price to the order inclusive of items, associated processes and artwork used on the label. Note: The plain meaning of term " algorithm", as per Webster

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dictionary, is to use repetitively a procedure or a set of steps to solve a mathematical problem, such as arriving at a final order price shown in von Rosen and analyzed above).

linking the item parameters, the process parameters and the artwork parameters(see at least FIG.11 A which shows the order confirmation in order to supply the confirmed order complete with the branded merchandise and the graphic label with the graphic image. Also see col.10, line 43-col.11, line 4) ; and

creating a product identifier for the product (see at least FIG.8A, " Order Number. 11299Jo" ); and

branding the product as requested, wherein the product is identified by the product identifier (see at least col.12, lines 15-24, "...At step 1316 a preview is generated and displayed. .... In an embodiment of the present invention, a bottle label is displayed that is branded with a trademark, such as "JONES SODA CO.", and that has been customized with the graphic image and text message provided by the consumer. ....". Note: The product is branded " Jones Soda Co" as requested as per the order number 11299Jo which is the product identifier as analyzed above).

Regarding claim 2, Rosen discloses that the method of claim 1 wherein the step of separating the product further comprises the step of supplying an item template (see at least FIG.9B, which corresponds to supplying a template for an item, that is soda flavor).

Regarding claim 3, Rosen discloses that the method of claim 1 wherein the step of separating the product further comprises the step of supplying a process template (see at least FIG.8A-9A and 9C corresponds to providing a process template wherein the process is designing the label with the image).

Regarding claim 4, Rosen teaches that the method of claim 2 wherein the step of separating the product further comprises the step of creating an item definition page based on the item template (see at least FIG.9 B, which corresponds to the soda flavor bottle definition page based on the item template).

Regarding claim 5, Rosen teaches that the method of claim 3 wherein the step of separating the product further comprises the step of creating a process definition page based on the process template (see at least FIG.9C, which corresponds to the soda flavor bottle label image definition page based on the process template ).

Regarding claim 7, Rosen shows that the method of claim 1 wherein the one or more parameters comprise description information (see at least see at least Fig.3, " Product database 98", " Image database 100", and col.6, lines 50-67 which disclose that both product database 98 and image database 100 store descriptive information about products and images such as different types of flavor for sodas, see at least col.10, lines 10-18).

Regarding claim 9, Rosen discloses that the method of claim 1 wherein the one or more parameters comprise pricing information (see at least FIG.9B and FIG.10B wherein prices for soda bottles are disclosed).

Regarding claim 10, Rosen discloses that the method of claim 1 wherein the step of creating a product identifier comprises dynamically creating the product identifier when the product is sourced, quoted or ordered (see at least FIG.8A, " Order Number. 11299Jo" which is created dynamically when the product is sourced, quoted or ordered. ).

Regarding system claims 11-15, 17, and 19-20 they are parallel to the method claims 1-5, 7 and 9-10 and are therefore, analyzed and rejected based on same rationale.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being obvious over Rosen and further in view of Official Notice.

Regarding claim 8, Rosen discloses a method for configuring one or more products as analyzed and discussed in claim above. Rosen does not disclose that in claim 1 the parameters comprise quantity break pricing information. However, the examiner takes an Official Notice that both the concept and the benefits of quantity break pricing information are notoriously old and well-known in selling and buying transactions because a quantity break motivates the buyer to purchase more in quantity, as he saves money, and at the same time benefits the seller for accruing increased revenue and also profits. Therefore, in view of the Official Notice, it would have been obvious to a person of an ordinary skill in the art at the time of the applicant's invention to have modified Rosen to incorporate the concept of providing a quantity break pricing information while selling soda bottles, because a quantity break will motivate the buyer to purchase more in quantity, as he saves money, and at the same time will benefit the seller for accruing increased revenue and also profits.

Regarding system claim 18, it is parallel to the method claim 8 and is therefore, analyzed and rejected based on same rationale.

***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

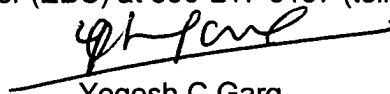
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A Millin can be reached on 703-308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Yogesh C Garg  
Primary Examiner  
Art Unit 3625

YCG  
September 30, 2004